

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LORA BURNETT

Plaintiff,

v.

**COLLIN COUNTY COMMUNITY
COLLEGE DISTRICT, *et al.*,**

Defendants.

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CIVIL ACTION NO.: 4:21-CV-857

DEFENDANT COLLIN COLLEGE’S OFFER OF JUDGMENT

Defendant Collin County Community College District (“Collin College”) makes the following offer of judgment pursuant to Federal Rule of Civil Procedure 68:

1. Plaintiff Lora D. Burnett (“Burnett”) asserts four causes of action against Defendants Collin College, Dr. Toni Jenkins (“Jenkins”), Dr. H. Neil Matkin (“Matkin”), and each member of the Board of Trustees, including Mr. Andrew Hardin, Mr. Jay Saad, Mr. Jim Orr, Dr. Raj Menon, Ms. Stacy Arias, Dr. Robert Collins, Dr. Stacey Donald, Mr. Fred Moses, and Mr. Greg Gomel (collectively, the “Board Members”) individually and in their official capacities. Burnett’s four causes of action are for alleged: (1) denial of First Amendment free speech rights in violation of 42 U.S.C. §1983 against Collin College; (2) First Amendment free speech retaliation under 42 U.S.C. §1983 against all of the individual capacity Defendants; (3) First Amendment free speech retaliation under 42 U.S.C. §1983 against all of the official capacity Defendants; and (4) declaratory relief under 28 U.S.C. §2201, *et seq.* against all Defendants.

2. Collin College makes this offer more than fourteen days prior to trial, which to date, has not been set.

3. Collin College hereby offers to allow entry of a final judgment against it in the amount of \$70,000.00 payable to Burnett and an additional amount of reasonable and necessary attorneys' fees and court costs recoverable by applicable law and incurred by Burnett as of the date of this offer of judgment, as determined by the Court under the Federal Rules of Civil Procedure after briefing and/or a hearing. As such, this offer includes reasonable attorneys' fees and court costs recoverable by applicable law.

4. Collin College's offer is unconditional and is made to fully and finally resolve this litigation in its entirety, including any and all claims asserted against it and against Defendants Matkin, Jenkins, and the individual Board Members in their official and individual capacities.

5. This offer of judgment will remain open and irrevocable for a period of fourteen days after service on January 27, 2022.

6. If Burnett does not accept this offer in writing with fourteen days after service then this offer shall be deemed withdrawn in accordance with Federal Rule of Civil Procedure 68(b).

7. By making this offer as authorized by Rule 68, Collin College does not admit liability.

Dated: January 13, 2022.

Respectfully submitted,

**ABERNATHY, ROEDER, BOYD &
HULLETT, P.C.**

/s/ Richard M. Abernathy

Richard M. Abernathy

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2022 a true and correct copy of Defendant Collin College's Offer of Judgement was served upon all attorneys of record by email.

/s/Richard M. Abernathy
Richard M. Abernathy